October 7, 2013

budget differences, wasn't my idea. It was his idea. The Speaker of the House of Representatives said: You do this CR at this number, and I will get it done.

We negotiated for a while. I agreed to his number. It was very hard to do for us in the Democratic Caucus. But it was his idea, not my idea. All this talk about not negotiating, that is what that was all about. He admits it was his intention all along to pass a clean resolution. But then he ran into the tea party, a minority within a majority that runs the majority in the House of Representatives.

The bill before the House of Representatives is a compromise by us, a compromise that was difficult, I repeat, to get my caucus to accept. Now that we have compromised, the Speaker won't take yes for an answer. He has moved the goal line again.

Last week he said he wanted to go to conference to work out some differences. As we heard on national TV yesterday, he is not only concerned about ObamaCare, he is concerned about the budget deficit, as we all are. He keeps changing. He said he wanted to talk about that. Fine. We are happy to do that. If he wants to talk about ObamaCare, if he wants to talk about anything else, we will do it. I put that in writing and had it hand delivered to him. We said that we would talk about agriculture, we would talk about health care, we would talk about domestic discretionary spending, military spending, and anything he wishes to talk about. We have been asking to go to conference on a responsible budget for more than 6 months.

On national TV, the Speaker said Chairman RYAN and Chairman MURRAY have been working together for a long time. As I have indicated here previously, he said that in a meeting we had in the White House in the last few days. I said in front of everybody there: It is simply not factual.

Senator MURRAY issued a statement yesterday after she heard him saying this on national TV saying that is not true. They have had a couple of meetings but they haven't discussed anything substantive. I guess the meetings were only to say to the Speaker they met, but they talked about nothing in her budget or his budget.

We are saying simply, reopen the government. We have said we will go to your budget number. We don't like it. We have said we will go to conference and talk about anything you want.

He can't take yes for an answer.

Simply reopen the government. We will talk, I repeat, about anything you wish to talk about. We are not afraid to negotiate. We are not afraid to make reasonable compromises. Once again the football was moved, just like Lucy in the "Peanuts" cartoon.

As Judd Legum, editor-in-chief of ThinkProgress pointed out, Republicans have a strange definition of compromise. This is how he explains it:

Republicans ask: "Can I burn down your house?" We say: "No." Republicans ask: "Just the second floor?" We say: "No." Republicans ask: "[Just the] garage?" We say: "No." Republicans say: "Let's talk about what I can burn down." We say: "No." Then Republicans say: "You're not compromising!"

Republicans insist we must negotiate while the Federal Government remains closed. As The New York Times editorial reported on Saturday, when 800,000 Federal employees are furloughed, government services are shut down and the economy is flagging, it is hardly time for talking.

Then they come up with all this: We will do an NIH bill. We will open NIH.

The problem is, it is really hard to pick and choose between that and the Park Service, especially when we consider they have cut spending this year for NIH by \$1.6 billion; the second year of their famous sequestration, \$2 billion. This is all a charade.

This is what the Times wrote after the brief introduction:

This is a moment for immediate action to reopen the government's doors, not the beginning of a conversation Republicans spurned when they lacked the leverage of a shutdown.

[Republicans] have refused to negotiate over the Senate's budget, they have refused to negotiate over the President's budget, and they have refused to negotiate to make the health law more efficient.... The two sides will eventually have to reach a reckoning on long-term economic issues, but the time to do so is not while dangling over an abyss.

Democrats are willing to negotiate but won't negotiate with a gun to our heads. We say to our Republican colleagues: End this irresponsible government shutdown. Stop your reckless threats of a default on the Nation's obligations. Then Democrats will negotiate over anything, anything our Republican colleagues wish to negotiate.

# RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader in recognized.

## CONTINUING APPROPRIATIONS

Mr. McCONNELL. We are now in the second week of a government shutdown that nobody claims to want.

Democrats say it is unreasonable to ask for any changes or delays to ObamaCare. Republicans, we think the ObamaCare rollout has proven beyond a shadow of a doubt just how reasonable a delay is. If anybody had any doubts about the need to delay this thing, those doubts should have been allayed this weekend when the administration admitted its Web site wasn't working and took it offline for repairs.

Delay and basic fairness are what Republicans are asking for at this point, not exactly the Sun and the Moon.

Another thing Republicans have been saying is that if we can't agree on a bill to fund the entire government, let's at least pass the most urgent pieces of it. Let's at least pass the parts we can all agree on. That is exactly what the House has begun to do.

Over the past several days, the two parties in the House have responsibly come together and passed no fewer than eight bills to fund things such as the Coast Guard, the Guard and Reserve, and programs for veterans. In other words, the House has quietly shown the two parties aren't completely at odds in this debate and that there is, in fact, some common ground here. Slowly but surely the House has approved funding for folks who shouldn't get caught in the middle of a political impasse such as this. They have done it on a bipartisan basis.

Over the weekend the House passed a bill that said a government shutdown doesn't affect the free exercise of religion on military bases, and 184 Democrats agreed. Another bill said government workers shouldn't have to wonder how they are going to pay their bills during a shutdown, and 189 Democrats agreed with that.

The bill to fund FEMA drew 23 Democrats. The one to fund NIH drew 25; national parks, 23.

Let's be clear here that the problem isn't the House. There is actually a fair amount of agreement among Republicans and Democrats over in the House, that Republicans and lawmakers have a duty and a responsibility that rises above the politics of the moment to fund things such as veterans, cancer trials, the National Guard, and reservists in every State.

The problem is the Senate.

I know Democrats don't like it, but the American people have given us divided government for two elections in a row. They gave us a Republican House, and they gave us a Democratic Senate.

This means negotiation isn't a luxury; it is a necessity. Until Senate Democrats accept reality, these crises will only be harder to resolve. So I would suggest they start thinking about how they might start playing a constructive role in the crisis and in the challenges that lie ahead. There is a time for politics, and there is a time for sitting down like adults and working things out. Republicans are ready and willing to negotiate. We invite Senate Democrats to join us.

I yield the floor.

## RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Illinois.

#### CONTINUING APPROPRIATIONS

Mr DURBIN Mr President let me start off by acknowledging an article which appeared in today's New York Times attributed to the Senate Chaplain, Dr. Barry Black, who led us in prayer to open the Senate's session. It is entitled "Give Us This Day, Our Daily Senate Scolding," and it goes on to talk about the prayers which Dr. Black, our Senate Chaplain, has offered during the course of the last week during the government shutdown. They say in the article the morning invocation has turned into a daily conscience check for the 100 men and women of the Senate.

The article points out that in the course of one of his prayers Dr. Black said:

Remove from them that stubborn pride which imagines itself to be above and beyond criticism. Forgive them the blunders they have committed.

I can't match his baritone voice and delivery when it comes to these prayers, but I ask unanimous consent to have printed in the RECORD this article as a tribute to our Senate Chaplain who has been given the awesome responsibility to prove the power of prayer during the midst of a government shutdown.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 6, 2013] GIVE US THIS DAY, OUR DAILY SENATE SCOLDING

#### (By Jeremy W. Peters)

WASHINGTON.—The disapproval comes from angry constituents, baffled party elders and colleagues on the other side of the Capitol. But nowhere have senators found criticism more personal or immediate than right inside their own chamber every morning when the chaplain delivers the opening prayer.

"Save us from the madness," the chaplain, a Seventh-day Adventist, former Navy rear admiral and collector of brightly colored bow ties named Barry C. Black, said one day late last week as he warmed up into what became an epic ministerial scolding.

"We acknowledge our transgressions, our shortcomings, our smugness, our selfishness and our pride," he went on, his baritone voice filling the room. "Deliver us from the hypocrisy of attempting to sound reasonable while being unreasonable."

So it has gone every day for the last week when Mr. Black, who has been the Senate's official man of the cloth for 10 years, has taken one of the more rote rituals on Capitol Hill—the morning invocation—and turned it into a daily conscience check for the 100 men and women of the United States Senate.

Inside the tempestuous Senate chamber, where debate has degenerated into daily name-calling—the Tea Party as a band of nihilists and extortionists, and Democrats as socialists who want to force their will on the American people—Mr. Black's words manage to cut through as powerful and persuasive.

During his prayer on Friday, the day after officers from the United States Capitol Police shot and killed a woman who had used her car as a battering ram, Mr. Black noted that the officers were not being paid because of the government shutdown.

Then he turned his attention back to the senators. "Remove from them that stubborn pride which imagines itself to be above and beyond criticism," he said. "Forgive them the blunders they have committed."

Senator Harry Reid, the pugnacious majority leader who has called his Republican adversaries anarchists, rumps and hostage takers, took note. As Mr. Black spoke, Mr. Reid, whose head was bowed low in prayer, broke his concentration and looked straight up at the chaplain.

"Following the suggestion in the prayer of Admiral Black," the majority leader said after the invocation, seeming genuinely contrite, "I think we've all here in the Senate kind of lost the aura of Robert Byrd," one of the historical giants of the Senate, who prized gentility and compromise.

In many ways, Mr. Black, 65, is like any other employee of the federal government who is fed up with lawmakers' inability to resolve the political crisis that has kept the government closed for almost a week. He is not being paid. His Bible study classes, which he holds for senators and their staff members four times a week, have been canceled until further notice.

His is a nonpartisan position, one of just a few in the Senate, and he prefers to leave his political leanings vague. He was chosen in 2003 by Senator Bill Frist, a Tennessee Republican who was the majority leader at the time, from a group of finalists selected by a bipartisan committee. Before that he ministered in the Navy for nearly 30 years. "I use a biblical perspective to decide my

"I use a biblical perspective to decide my beliefs about various issues," Mr. Black said in an interview in his office suite on the third floor of the Capitol. "Let's just say I'm liberal on some and conservative on others. But it's obvious the Bible condemns some things in a very forceful and overt way, and I would go along with that condemnation."

Last year, he participated in the Hoodies on the Hill rally to draw attention to the shooting death of Trayvon Martin. In 2007, after objections from groups that did not like the idea of a Senate chaplain appearing alongside political figures, he canceled a speech he was scheduled to give at an evangelical event featuring, among others, Tony Perkins of the conservative Focus on the Family and the columnist and author Ann Coulter.

Mr. Black, who is the first black Senate chaplain as well as its first Seventh-day Adventist, grew up in public housing in Baltimore, an experience he draws on in his sermons and writings, including a 2006 autobiography, "From the Hood to the Hill."

In his role as chaplain, a position that has existed since 1789, he acts as a sounding board, spiritual adviser and ethical counselor to members of the Senate. When he prays each day, he said, he recites the names of all 100 senators and their spouses, reading them from a laminated index card.

It is not uncommon for him to have 125 people at his Bible study gatherings or 20 to 30 senators at his weekly prayer breakfast. He officiates weddings for Senate staff members. He performs hospital visitations. And he has been at the side of senators when they have died, most recently Daniel K. Inouye of Hawaii in December.

He tries to use his proximity to the senators—and the fact that for at least one minute every morning, his is the only voice they hear—to break through on issues that he feels are especially urgent. Lately, he said, they seem to be paying attention.

"I remember once talking about self-inflicted wounds—that captured the imagination of some of our lawmakers," he said. "Remember, my prayer is the first thing they hear every day. I have the opportunity, really, to frame the day in a special way." His words lately may be pointed but his

tone is always steady and calm.

"May they remember that all that is necessary for unintended catastrophic consequences is for good people to do nothing," he said the day of the shutdown deadline. "Unless you empower our lawmakers," he

"Unless you empower our lawmakers," he prayed another day, "they can comprehend their duty but not perform it."

The House, which has its own chaplain, liked what it heard from Mr. Black so much that it invited him to give the invocation on Friday.

"I see us playing a very dangerous game," Mr. Black said as he sat in his office the other day. "It's like the showdown at the O.K. Corral. Who's going to blink first? So I can't help but have some of this spill over into my prayer. Because you're hoping that something will get through and that cooler heads will prevail.

Mr. DURBIN. Mr. President, I picked up the newspaper, at least went online to look at the newspapers from Illinois this morning, and two stories jumped right off the page. One was in the Bloomington Pantagraph. What a great story it is and makes me so proud to be from the Midwest and to represent people who are, by their very nature, pretty darned extraordinary. It is a story that comes out of Lexington, IL, about an event that happened yesterday, and I will quote just a bit of it.

More than 60 area farmers, truckers and their families gathered north of Lexington on Sunday morning to pay back a friend who had helped them out at one time or another during his 71-year lifetime. Some 16 combines harvested more than 300 acres of corn as friends of Dave Thomas brought in Thomas' last harvest. Thomas died of a heart attack on July 22 and his wife Sharon and four sons, decided to end the family's farm operations.

The article went on to say how it broke the family's heart to give up this family farm, but these neighbors pitched in. They wanted to harvest David Thomas' land and to make sure that last crop was brought in for his family. It is the kind of compassion and caring and family and community which we see in many States, but I see over and over in my home State of Illinois.

This is not unique. It happens often, and every time it does it is worthy of note because it is such a special comment on the people of this great Nation and their caring for their neighbors.

The area farmers in Chenoa, not too far from Lexington, are planning a similar harvest operation for another neighbor, David Harrison, this morning. Dave passed away last week.

Time and again these farm families put aside their own physical comfort, their own daily schedules, their own lives to help one another. It is such a wonderful comment on this great Nation that we call home and the area I am so proud to represent.

The second article that jumped off the page after I read this came out of Kansas—Wichita, KS—and it quotes Tim Peterson. He is a wheat farmer. I am not as familiar with wheat as I am corn and soybeans, but he started talking about the problems he is running into. His problems are created by us because Tim doesn't have access to vital agricultural reports. They are casualties of the Federal Government shutdown. We stopped publishing this information, and farmers such as Tim